

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Nevada

KIMBERLY BERNARD, Derivatively on Behalf of
MARATHON DIGITAL HOLDINGS, INC., (f/k/a
MARATHON PATENT GROUP, INC.),

Plaintiff(s)

v.

FRED THEIL, GEORGES ANTOUN, KEVIN
DENUCCIO, SARITA JAMES, JAY LEUPP, SAID
OUISSAL, MERRICK d. oKAMOTO, and SIMEON
SALZMAN,

Defendant(s)

Civil Action No. 2:22-cv-00305-VCF

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* MARATHON DIGITAL HOLDINGS, INC. (f/k/a MARATHON PATENT GROUP, INC.),
Nominal Defendant

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Matthew L. Sharp, Esq.
432 Ridge Street
Reno, NV 89501

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

AFFIDAVIT OF SERVICE

STATE OF NEVADA

CASE # 2:22-cv-00305-VCF

I ARANZA AGUILAR being duly sworn deposes and says: That at all times herein affiant was and is a citizen of the United States, over 18 years of age and not a party to or interested in the proceeding in which this affidavit is made. The affiant received 1 copy (ies) of the SUMMONS AND COMPLAINT

on the 3RD day of MARCH, 2022 and served the same on the 4TH day of MARCH, 2022 at 9:20AM by:

- 1 delivering and leaving a copy with the defendant, _____

DESCRIPTION:

at: RESIDENCE:

- 2 serving the defendant, _____ by personally delivering a copy with:

a person of suitable age and discretion residing at the defendant's usual place of abode located at:

- 3 serving, MARATHON DIGITAL HOLDINGS, INC.(f/k/a MARATHON PATENT GROUP, INC.)

by personally delivering and leaving a copy at:

R/A: VCORP SERVICES, LLC

701 S. CARSON ST #200, CARSON CITY, NV

a. with _____ as _____ an agent lawfully designated by statute to accept service of process.

b. with CARLIE FECTEAU, pursuant to NRS 14.020 as a person of suitable age and discretion at the above address, which address is the address of the resident agent as shown on the current certificate of designation filed with the Secretary of State.

c. with _____, pursuant to Chapter 14 of NRS, a guard posted at the gate of Defendant's residence to which the undersigned has been denied access.

PURSUANT TO NRS 53.045, I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT. Executed on the _____ day of MARCH, 2022



Affiant-ARANZA AGUILAR-#R-095409

LICENSE #918

WEST COAST PROCESS SERVICE

401 COURT STREET

RENO, NV 89501